

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Louie Lawton Smith, Jr.,

Plaintiff,

v.

The Print Machine, Inc., a South Carolina Corporation; Kasey Cooper Fay, President of T.P.M., Inc.; Jim Norris, Human Resource Manager of T.P.M.; Chris Fay, Vice President of T.P.M.; Jerry Cooper, Chairman of T.P.M.; and Matt Luther, T.P.M. Manager of Columbia,

Defendants.

C/A No. 0:16-2918-JFA-SVH

**ORDER**

Louie Lawton Smith, Jr. (“Smith”), proceeding *pro se*, filed an action alleging wrongful termination against his former employer, The Print Machine Inc. and some of its management employees. (ECF No. 1). Along with his complaint, Smith filed a motion for leave to proceed in forma pauperis, which would waive the required filing fees. (ECF No. 3). The sole issue addressed by this Report and Recommendation is whether Smith should be required to pay the filing fee, or whether his financial condition justifies waiver of payment.

The Magistrate Judge assigned to this action<sup>1</sup> prepared a thorough Report and Recommendation (“Report”) and opines that Smith’s current financial situation does not justify a grant of his request for indigent status. (ECF No. 7). The Report sets forth in detail the relevant

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<sup>1</sup> The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(g) (D.S.C.). The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

facts and standards of law on this matter, and this court incorporates those facts and standards without a recitation. Smith was advised of his right to object to the Report, which was entered on the docket on August 29, 2016. The Magistrate Judge gave Smith until September 15, 2016, to file objections. However, Smith failed to file any objections to the Report. In the absence of specific objections to the Report of the Magistrate Judge, this Court is not required to give an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, as well as the Report, this court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, the Court adopts the Report and Recommendation. (ECF No. 7). Smith's motion for leave to proceed in forma pauperis is **DENIED**. Furthermore, in accordance with the recommendation of the Magistrate Judge, Smith has 14 days from the date of entry of this order to submit the required filing fee.

IT IS SO ORDERED.

September 29, 2016  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge